

STATE OF MICHIGAN



VAN BUREN COUNTY 36TH CIRCUIT COURT

212 East Paw Paw Street
Paw Paw, Michigan 49079

Frank D. Willis
Chief Judge
Phone: 269.657.8260

Administrative Order 2013-02

Order for the Establishment of a Swift and Sure Sanction Probation Program

This administrative order is issued in accordance with Public Act 616 of 2012. The purpose of this order is to establish a Swift and Sure Sanctions Probation Program (SSSPP) in the Van Buren County 36th Circuit Court and administrated by the State Court Administrative Office (SCAO). All policies and procedures comply with Public Act 616 of 2012 and are modeled after Hawaii's Honest Opportunity with Probation Enforcement (HOPE) program to increase compliance with probation terms by imposing certain, swift, and consistent sanctions for probation violators, effective January 9, 2013.

1. Van Buren County 36th Circuit Court has entered into a Memorandum of Understanding with the Van Buren County Sheriff, Van Buren Prosecutor, Van Buren County Defense Bar, Van Buren District Health Department, Van Buren County Mental Health and Michigan Department of Corrections. The Memorandum of Understanding shall describe the role of each party. The memorandum of Understanding is attached (see attachment A).
2. Van Buren County 36th Circuit Court has established eligibility criteria consistent with Public Act 616 of 2012 and Hawaii's HOPE program.
3. Program admission is contingent upon a complete preadmission screening performed by the Michigan Department of Corrections (MDOC) or trained SSSPP staff.
4. All Participants will be provided with a written agreement and receive a warning hearing prior to participation in the program in conformance with Public Act 616 of 2012 and Hawaii's HOPE program.
5. Van Buren County 36th Circuit Court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and assure that medical services to, and information contained in medical records of, persons served under this grant contract, or other such

recorded information required to be held confidential by federal or state law, rule or regulation, in connection with the provision of services or other activity under this contract shall be privileged communications.

6. Van Buren County 36th Circuit Court shall comply with all the provisions in the SSSPP grant contract to assure compliance with Health Insurance Portability and Accountability Act (HIPAA) and 42 CFR Part 2 (see attached SSSPP 2013-14 Grant Contract item 10).
7. The court has established, as part of its program requirements, policies and procedures to assure compliance with Public Act 616 of 2012 and Hawaii's HOPE program.
8. Pursuant to the SSSPP 2013-14 Grant Contract, Van Buren County 36th Circuit Court shall provide the SCAO with the reports and records identified in the application assurances and administrative requirements for the SSSPP 2013-14 Grant Contract including the financial quarterly reports and semi-annual progress reports. The SCAO shall have access to and the right to evaluate, inspect, examine, audit, observe, excerpt, copy, or transcribe any pertinent transaction, books, accounts, data, timecards, or other records related to SSSPP 2013-14 Grant Contract (see attached SSSPP 2013-14 Grant Contract items 16, 17, and 19).

IT IS SO ORDERED:

10/18/2013
Date



Frank D. Willis, Chief Judge